

**TOXIC SUBSTANCES CONTROL ACT – NEW AND EXISTING CHEMICALS PROGRAM
COMPLIANCE MONITORING INSPECTION REPORT (Non-CBI)**

The Chemours Company

Fayetteville Works
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Inspection Dates: June 28 - 29, 2017

Section 3.6 (TSCA Section 13 Evaluation)

As a follow up to the U.S. Environmental Protection Agency, Region 4's Chemours Company (Chemours) April 24, 2018, Inspection Report (Inspection Report), specifically Section 3.6 (TSCA Section 13 Evaluation), additional information is being presented in this follow up to highlight the 2016 Chemical Data Reporting (CDR) as it relates to the import of [confidential business information (CBI) deleted] which is a component in FRD-902. FRD-902 is a spent [CBI deleted] that contains [CBI deleted].

On or about January 4, 2018, Region 4 became aware that Chemours' Corporate Office in Wilmington, Delaware imported FRD-902 from [CBI deleted]. FRD-902 was processed at [CBI deleted] to reclaim the [CBI deleted] for commercial use.

On January 16, 2018, a representative of the EPA Office of Pollution Prevention and Toxics (OPPT) contacted Chemours' Corporate Office to discuss: (1) the import of FRD-902; and (2) the reclamation of the [CBI deleted] in FRD-902. As referenced in the Inspection Report, on January 22, 2018, OPPT submitted a written request to Chemours' Corporate Office regarding the reclamation of [CBI deleted]. Based on the EPA CDR database [confidential database], Chemours' Corporate Office submitted a 2016 CDR report for the [CBI deleted] that was reclaimed from the FRD-902 spent [CBI deleted]. The inspection report did not reference the date Chemours' Corporate Office submitted the 2016 CDR report for the [CBI deleted] that was reclaimed from the FRD-902 spent [CBI deleted].

Further review of the EPA CDR database [confidential database] by Region 4, subsequent to the date of the Inspection Report (April 24, 2018) revealed that on January 19, 2018, Chemours' Corporate Office submitted a 2016 CDR report for the [CBI deleted] that was reclaimed from the FRD-902 spent [CBI deleted]. The EPA CDR database [confidential database] also shows that Chemours' Corporate Office reported that they imported [CBI deleted] pounds of [CBI deleted] in 2014 and [CBI deleted] pounds of [CBI deleted] in 2015. As referenced in the Inspection Report, [CBI deleted] is subject to a consent order pursuant to the Toxic Substances Control Act (TSCA) Section 5e.

Pursuant to 40 C.F.R. § 711.8(b), for the 2016 CDR submission period and subsequent submission periods, any person who manufactured (including imported) for commercial purposes any chemical substance that is the subject of a rule proposed or promulgated under TSCA Section 5(a)(2), 5(b)(4), or 6, or is the subject of an order in effect under TSCA Section 5(e) or 5(f), or is the subject of relief that has been granted under a civil action under TSCA Section 5 or 7, is subject to reporting as described in § 711.8(a), except that the applicable production volume threshold is 2,500 lbs. (1,134 kg). Since [CBI deleted] is subject to a TSCA Section 5e order and the import volumes for 2014 or 2015 were greater than 2,500 pounds, Chemours was required to submit a 2016 CDR report to the EPA for the [CBI deleted] that was: (1) imported as a component in the FRD-902 spent [CBI deleted]; and (2) reclaimed for commercial purpose.

Pursuant to 40 C.F.R. § 711.20, all information reported to EPA in response to the requirements of this part (40 C.F.R. Part 711) must be submitted during an applicable submission period. The 2016 CDR submission period was June 1, 2016, to October 31, 2016. During the 2016 CDR submission period,

Chemours did not submit to EPA the 2016 CDR report for the [CBI deleted] that was reclaimed from the FRD-902 spent [CBI deleted] in 2014 and 2015. Based on the EPA CDR database, on January 19, 2018, (subsequent to the 2016 CDR submission period) Chemours submitted a 2016 CDR report for the [CBI deleted] that was reclaimed from the FRD-902 spent [CBI deleted].

DOES NOT CONTAIN TSCA CBI